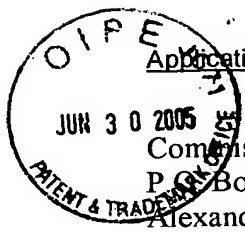


ZFW



Application Number 10/648,862

(Shuba Y.M.)

GAU 3748

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: Appn. No. 10/648,862

June 23, 2005

Sir:

At the beginning of June I've been informed by Chronopost International (French express mail) that my corrected Amendments to the claims, which I've sent to the US PTO in response to the Office communication (Notice of Non-Compliant Amendment (37 CFR 1.121), mailed on 02/08/2005), have not been delivered (copy of the letter from Chronopost enclosed).

The reason for non-delivery is not clear to me. As a prove of my *bona fide* attempt to reply timely to the Office communication you can view the status of my shipment at Chronopost web site under the tracking number XD104755804FR. Direct access to the status page is at:

http://www.fr.chronopost.com/web/en/tracking/suivi_inter.jsp?listeNumeros=XD104755804FR

As I explained in my cover letter to the first shipment of the corrected Amendments to the claims (which has not been delivered, the letter enclosed), at the time of the arrival of the Office communication to my home address in Ukraine physically I was in France. Therefore, Office communication had to be forwarded to me to my French destination, which by itself was time consuming. Naturally, I had to use French postal service to respond to the Office communication. With basically no time left to comply with one-month period from the mail date of the Office communication to respond I opted to use the Chronopost express mail.

But, as you see, this resulted in even longer delay, as for unknown reason Chronopost was unable to deliver my shipment to the US PTO, and informed me of this only 3 months after the shipment was actually made.

Therefore, I am sending the corrected Amendments to the claims second time. If the significant delay with my response resulted in the abandonment of my application then I would kindly ask you to revive it, as this delay occurred for the reasons beyond of my control and, therefore, was UNAVOIDABLE despite my *bona fide* attempt to respond timely.

For urgent contact I can be reached at telephone No: +380-67-986-2641, or at e-mail address shown below.

Very respectfully,

Yaroslav M. Shuba

Apt. 16

Shota Rustaveli Street, 40

Kiev, 01023

UKRAINE

Tel.: +380-44-287-1376; Tel./Fax: +380-44-256-2435

E-mail: yshuba@biph.kiev.ua



CHRONOPOST

INTERNATIONAL®

SERVICE CLIENTS

BP 31034

49010 ANGERS CEDEX 01

téléphone : 0.825.801.801 (0,15 Eur TTC/MN)

télécopie : 0.825.801.802 (0,15 Eur TTC/MN)

minitel : 3615 / 3617 Chronopost (0,34 Eur TTC/MN)

internet : <http://www.chronopost.com>

YAROSLAV M.SHUBA

APT 16

SHOTA RUSTAVELI STREET 40

KIEV 01023 UKRAINE

Angers, le 02/06/2005.

Objet : Votre envoi Chronopost n° XD104755804FR

N/Réf. :05/04/447

Monsieur,

Nous vous informons que l'envoi ci-dessus référencé se trouve actuellement à votre disposition dans nos locaux.

Il s'agit d'une enveloppe contenant 1 courrier.

Nous vous remercions de bien vouloir vous mettre en contact avec nos services afin de nous fournir les instructions nécessaires au réacheminement de votre envoi au :

02.41.79.56.20

Nous vous prions de croire, Monsieur, à notre total dévouement.

Nathalie LAPORGE
Responsable du C.R.E.S.A

CHRONOPOST SA

14, bd des Frères Voisin
92795 Issy-les-Moulineaux
cedex 9 - France

Service Clients 0825 801 801*
Internet : www.chronopost.com

Société Anonyme au capital
de 51 659 939 euros
383 960 135 RCS Nanterre
*0,15€ TTC/mn au 01/09/2003



Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: Appn. No. 10/648,862

March 7, 2005

Sir:

This is to apologize and provide explanation for not being able to comply with ONE MONTH PERIOD from the mailing date of Office communication (Notice of Non-Compliant Amendment (37 CFR 1.121), mailed on 02/08/2005), which was given for re-submission of corrected section.

Such compliance was not physically possible because of long period of time required for the correspondence first to arrive to Ukraine, and the fact that I am currently out of my home country Ukraine, which required its additional forwarding to my present destination (to France, as evidenced by the envelope of the current correspondence). All this resulted in me actually receiving Office communication only on March 4, 2005.

Hopefully, the incurred delay in the re-submission of corrected section will not result in any Office sanctions.

Given long time required for overseas mailing, I would kindly ask to give more than one month to respond to any future Office communications.

For urgent contact I can be reached till May 31, 2005 at telephone No: +33-320336422, or at e-mail address shown below.

Very respectfully,

A handwritten signature in black ink, appearing to read "Y. Shuba".

Yaroslav M. Shuba
Apt. 16
Shota Rustaveli Street, 40
Kiev, 01023
UKRAINE
Tel.: +380-44-227-1376; Fax: +380-44-256-2435
E-mail: yshuba@biph.kiev.ua